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and Mediversal, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GREAT-WEST LIFE & ANNUITY  
INSURANCE COMPANY, and  
MEDIVERSAL, INC.

Plaintiffs,

vs.

AMERICAN ECONOMY INSURANCE  
COMPANY and COLORADO CASUALTY  
INSURANCE COMPANY,

Defendants.

AND RELATED MATTERS.

CASE NO: 2:11-cv-02082-APG-CWH

**AMENDED STIPULATED MOTION  
REQUESTING THAT THE COURT PLACE  
UNDER SEAL EXHIBIT 9 TO PLAINTIFFS'  
SUMMARY JUDGMENT RESPONSE (DKT.  
# 232) AND MEMORANDUM OF LAW IN  
SUPPORT**

**MOTION**

Plaintiffs/Counter-Defendants Great-West Life & Annuity Insurance Company and  
Mediversal, Inc. and Defendants/Counter-Plaintiffs American Economy Insurance Company and

1 Colorado Casualty Insurance Company hereby stipulate and request that the Court place under seal  
2 Exhibit 9 to Plaintiffs' response to Defendants' second motion for summary judgment, filed on May  
3 16, 2014 (ECF No. 232). The exhibit contains deposition testimony revealing the settlement amount  
4 for the underlying *Huynh* litigation.

5 This Court previously granted a stipulation to seal another portion of one of Defendants'  
6 exhibits that revealed the same information. (ECF No. 223.)

7 As explained below, although the *Kamakana* principles call for filing key documents  
8 concerning dispositive motions in the Court's public file, the Court also has authority to allow the  
9 filing under seal of redacted pages to keep confidential information out of the public file.

10 WHEREFORE, in order to maintain the confidentiality of the settlement amount paid in the  
11 underlying case, the parties respectfully request that the Court enter an order placing under seal  
12 Exhibit 9 of Plaintiffs' response to Defendants' second motion for summary judgment (ECF No.  
13 232).

14 **MEMORANDUM IN SUPPORT**

15 In support of this Motion, Plaintiffs state as follows:

16 1. Under the *Kamakana* standard: "For a document filed with a dispositive motion,  
17 'compelling reasons' must be shown to justify sealing the document." *Colato v. LeGrand*, No.  
18 3:10-cv-00470-RCJ-VPC, 2011 WL 2651571 at \*1 (D. Nev. July 5, 2011).

19 Plaintiffs filed their response to Defendants' second motion for summary judgment on May  
20 16, 2014 (ECF No. 232.) Exhibit 9 to that motion (ECF No. 232-9) consists of excerpts from the  
21 deposition of David Boldt.

22 2. When Plaintiffs filed the response, counsel overlooked the fact that one of the pages  
23 of the Exhibit revealed the settlement amount for the underlying litigation. Undersigned counsel has  
24 not cited the page and line from the Exhibit in this public filing to avoid drawing unnecessary  
25 attention to the settlement amount. This Court has already ruled in past orders that the settlement  
26 amount meets the *Kamakana* standard.

1 WHEREFORE, in order to maintain the confidentiality of the settlement amount paid in the  
2 underlying case, the parties respectfully request that the Court enter an order placing under seal  
3 Exhibit 9 (ECF No. 232-9) of Plaintiffs' response to Defendants' second motion for summary  
4 judgment (ECF No. 232)

5 Dated: July 1, 2014

6  
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19  
20 **ORDER**

21  
22 **IT IS SO ORDERED.**

23 Dated: July 1, 2014.

24  
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27 UNITED STATES DISTRICT JUDGE  
28